

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Luc GOURLAOUEN et al.	)	Group Art Unit: 1614
	)	
Application No.: 10/814,428	)	Examiner: Barbara S. FRAZIER
	)	
Filed: April 1, 2004	)	Confirmation No.: 5713
	)	
For: COSMETIC DYE COMPOSITION	)	
WITH A LIGHTENING EFFECT	)	
FOR HUMAN KERATIN	)	
MATERIALS, COMPRISING AT	)	
LEAST ONE FLUORESCENT DYE	)	
AND AT LEAST ONE	)	
AMINOSILICONE, AND PROCESS	)	
OF DYEING	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**VIA EFS WEB**

Sir:

**TERMINAL DISCLAIMER**

Assignee, L'ORÉAL S.A., duly organized under the laws of France and having its principal place of business at 14, rue Royale, 75008 Paris, France, represents that it is the assignee of the entire right, title, and interest in and to the above-identified application, Application No. 10/814,428, filed April 1, 2004, for COSMETIC DYE COMPOSITION WITH A LIGHTENING EFFECT FOR HUMAN KERATIN MATERIALS, COMPRISING AT LEAST ONE FLUORESCENT DYE AND AT LEAST ONE AMINOSILICONE, AND PROCESS OF DYEING in the names of Luc GOURLAOUEN

and Henri SAMAIN, as indicated by assignment duly recorded in the U.S. Patent and Trademark Office at Reel 015900, Frame 0146 on October 18, 2004.

Assignee, L'ORÉAL S.A., further represents that it is the assignee of the entire right, title, and interest in and to the following patents:

(1) U.S. Patent No. 7,147,673, as indicated by assignment duly recorded in the U.S. Patent and Trademark Office at Reel 015801, Frame 0088, on September 17, 2004;

(2) U.S. Patent No. 7,186,278, as indicated by assignment duly recorded in the U.S. Patent and Trademark Office at Reel 015685, Frame 0097, on August 17, 2004;

(3) U.S. Patent No. 7,192,454, as indicated by assignment duly recorded in the U.S. Patent and Trademark Office at Reel 016085, Frame 0209, on December 17, 2004;

(4) U.S. Patent No. 7,198,650, as indicated by assignment duly recorded in the U.S. Patent and Trademark Office at Reel 015796, Frame 0958, on September 17, 2004;

(5) U.S. Patent No. 7,204,860, as indicated by assignment duly recorded in the U.S. Patent and Trademark Office at Reel 015801, Frame 0150, on September 17, 2004; and

(6) U.S. Patent No. 7,208,018, as indicated by assignment duly recorded in the U.S. Patent and Trademark Office at Reel 015901, Frame 0954, on October 18, 2004.

To obviate a double patenting rejection, Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent Nos. 7,147,673; 7,186,278; 7,192,454; 7,198,650; 7,204,860; and 7,208,018, listed above. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent Nos. 7,147,673; 7,186,278; 7,192,454; 7,198,650; 7,204,860; and 7,208,018 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent Nos. 7,147,673; 7,186,278; 7,192,454; 7,198,650; 7,204,860; and 7,208,018, as presently shortened by any terminal disclaimer, in the event that any of the prior patents later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated before the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is submitted herewith.

If credit card authorization for the required fee is not included concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916


The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 8, 2008

By: \_\_\_\_\_

  
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